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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/760,282	01/21/2004	Wen-Pin Chang		9835	
75	90 03/31/2005		EXAM	INER	
WEN- PIN CI	HANG		LUBY, MA	TTHEW D	
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TAICHUNG,			ART UNIT	PAPER NUMBER	
TAIWAN			3611	3611	

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)	1			
	10/760,282	CHANG, WEN-PIN	۲.			
Office Action Summary	Examiner	Art Unit	•			
	Matt Luby	3611				
The MAILING DATE of this communication app Period for Reply			is			
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CPR.1.1 after SIX (6) MONTHS from the mailing date of this communication.  If the period for reply septicified above is test than thirty (20) days, a reply if the property of	36(a). In no event, however, may a reply be tim  within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from  cause the application to become ARMODONE	nely filed  ys will be considered timely. In the mailing date of this commu	unication.			
Status						
1)⊠ Responsive to communication(s) filed on <u>21 Ja</u>						
	action is non-final.		orito in			
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
closed in accordance with the practice under E	x parte quayie, 1955 C.D. 11, 4	50 G.G. 210.				
Disposition of Claims						
4) Claim(s) 1-20 is/are pending in the application 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) 1-20 are subject to restriction and/or	election requirement.					
Application Papers						
9)☐ The specification is objected to by the Examine	er.					
10)☐ The drawing(s) filed on is/are: a)☐ acc	epted or b) objected to by the	Examiner.				
Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct			1 121/4)			
11) The oath or declaration is objected to by the E:	xaminer. Note the attached Office	e Action or form PTO-	152.			
•						
Priority under 35 U.S.C. § 119						
12)  Acknowledgment is made of a claim for foreigr a) All b) Some * c) None of: 1. Certified copies of the priority documen		a)-(d) or (f).				
2. Certified copies of the priority documen	ts have been received in Applica	tion No				
3. Copies of the certified copies of the price		ed in this National Sta	age			
application from the International Burea						
* See the attached detailed Office action for a list	t of the certified copies not receiv	rea.				
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) Interview Summar Paper No(s)/Mail I					
Notice of Draftsperson's Patent Drawing Review (PTO-948)     Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08		Patent Application (PTO-15	52)			
Paper No(s)/Mail Date	o,					

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## DETAILED ACTION

## Flection/Restrictions

 This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I - A frame for a bicycle as shown in Figures 4-6;

Species II - A frame for a bicycle as shown in Figure 7; and

Species III - A frame for a bicycle as shown in Figure 8.

- Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim appears generic.
- 3. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.
- 4. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

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are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

- 5. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.
- Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt Luby whose telephone number is (571) 272-6648.
   The examiner can normally be reached on Monday-Friday, 9:30 a.m. to 6:00 p.m..
- 8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6612. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> Matt Luby Examiner

M.I. March 22, 2005